

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

RAMON ARAGON, *et al.*,

Defendants.

69cv7941-BB-ACE

RIO CHAMA STREAM SYSTEM
Section 7: Rutherford & Plaza Blanca

**Subfile Nos. CHRB-002-0001
CHRB-002-0002**

ORDER AMENDING PRETRIAL ORDER

This Order is entered *sua sponte* following discussions with counsel for the State of New Mexico, *ex rel.* State Engineer (State) and Defendants Joe and Rosina Garcia Revocable Trust and Mundy Ranch, Inc. at the October 12, 2004 and December 14, 2004 status and scheduling conferences. This Order amends certain deadlines set forth in the March 8, 2004 Pretrial Order (Doc. No. 7427) and the August 26, 2004 Order Amending Pretrial Order (Doc. No. 7568); and was prepared by counsel for the State and approved by counsel for the Defendants. Being fully informed in the premises, the Special Master orders the following:

- a. Any person who may be used at trial to present expert witness testimony shall be disclosed to opposing parties no later than **April 4, 2005**. The disclosure shall contain a written expert witness report that conforms to the requirements described in the March 8, 2004 Pretrial Order.
- b. Identification of witnesses, documents or other exhibits to be used at trial shall be provided to opposing parties no later than **April 4, 2005**.

- c. Identification of rebuttal witnesses shall be provided to opposing parties no later than **May 16, 2005.**
- d. The parties shall file certificates with the Court giving notice of the completion of each of the items in paragraphs (a) (b) and (c) above and describing the information or materials exchanged or provided.
- e. Objections to proposed exhibits shall be filed and served no later than **July 15, 2005.** Each objection shall be described in detail sufficient to adequately advise opposing counsel and the Court as to the grounds for each.
- f. Discovery shall be completed no later than **July 15, 2005.**
- g. Dispositive motions or motions *in limine* shall be filed and served no later than **August 15, 2005.**
- h. Requests for hearings on disputed subfiles shall be submitted by **October 17, 2005,** along with a statement of the issues prepared jointly by counsel.
- i. Any request for an extension of the deadlines described above shall be directed to the Special Master.

All other elements of the March 8, 2004 Pretrial Order, as amended, shall remain in effect.

The State shall serve this Order on Defendants who claim water rights associated with the above subfiles and on Intervener Asociación de Acéquias Norteñas de Rio Arriba.

IT IS SO ORDERED.

/electronic signature/
VICKIE L. GABIN, SPECIAL MASTER